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EXAMINATION OF APPLICATIONS

711.03(c)

PTO/SB/64 (11-03)

Approved for use through 07/31/2006 OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) <i>R 550</i>
First named inventor: <i>R. SMITH</i>	Application No.: <i>09/698929</i>	Art Unit: <i>3748</i>
Filed: <i>10/26/00</i>		Examiner: <i>HOANG NGUYEN</i>
Title: <i>RECIRCULATING MEDIVAN TURBINE</i>		
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX: (703) 872-9306		
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION		
NOTE: A grantable petition requires the following items:		
<ol style="list-style-type: none"> (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional. 		
<p>1. Petition fee <input type="checkbox"/> Small entity fee \$ <i>685.00</i> (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Other than small entity - fee \$ _____ (37 CFR 1.17(m))</p>		
<p>2. Reply and/or fee</p> <p>A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):</p> <p><input type="checkbox"/> has been filed previously on _____.</p> <p><input checked="" type="checkbox"/> is enclosed herewith.</p> <p>B. The issue fee of \$ _____</p> <p><input type="checkbox"/> has been paid previously on _____.</p> <p><input type="checkbox"/> is enclosed herewith.</p>		

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Total will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

01/03/2005 JADDO1 00000039 09698929

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OFFICE OF PETITIONS



PTO/SB/64 (11-03)

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3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Dec 29, 2004

Date

Telephone

Number: _____

Robert S. Smith

Signature

ROBERT S. SMITH

Typed or printed name

1263 EMORY ST.

Address

SAN JOSE, CA 95126

Address

Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

Date _____

Signature _____

Type or printed name of person signing certificate

[Page 2 of 2]



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: R. Smith

Examiner: Hoang Nguyen

Application number: 09/698,929

Art Unit: 3748

Dec. 13, 2004

The Honorable Commissioner of Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant R. Smith

Examiner Hoag Nguyen

Application 09/698,929

Art Unit 3748

Filed 10/26/00

Dec. 28, 2004

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OFFICE OF PETITIONS

PETITION TO REVIVE APPLICATION ABANDONED UNINTENTIONALLY

Sir:

Applicant respectfully petitions to revive the referenced application.

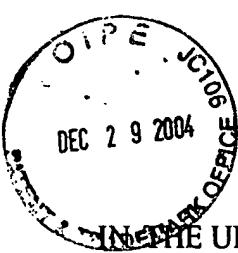
The Application was abandoned unintentionally.

The fee for revival of application abandoned unintentionally is enclosed.

Respectfully submitted,

A handwritten signature in black ink that reads "Robert Samuel Smith".

Robert Samuel Smith



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: R. Smith

Examiner: Hoang Nguyen

Application number: 09/698,929

Art Unit: 3748

Dec. 13, 2004

The Honorable Commissioner of Patents

PETITION TO TREAT SPECIAL

Sir:

Applicant respectfully requests that this application be treated special under 35 CFR 1.102c) in view of the Applicant's age (80 years) and health (five major cardiovascular surgeries) and in view of the invention's contribution to reduction of energy consumption.

Proof of age enclosed

Respectfully submitted,

Robert S. Smith

